



Honorable August B. Landis  
United States Bankruptcy Judge



Entered on Docket  
July 07, 2016

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UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

In re:

ROBERT C. MARSHALL,

Debtor.

BMW BANK OF NORTH AMERICA,

Plaintiff,

vs.

ROBERT C. MARSHALL,

Defendant,

CASE NO. 15-15491-abl  
Chapter 7

Adversary Proc. No. 15-01203-abl

**DEFAULT JUDGMENT**

Date: 7/05/16  
Time: 10:00 a.m.

Defendant Robert C. Marshall ("Defendant"), having been duly served with a Summons and a copy of the Complaint filed by Plaintiff BMW Bank of North America ("BMW") initiating the above-captioned adversary proceeding; Defendant having failed to appear, in person or through a representative, file any responsive pleading to or otherwise defend against the

Complaint; the legal time for responding having expired and no answer or otherwise responsive pleading having been filed; the Default of Defendant having been entered according to law; the Court, having reviewed and considered the pleadings, papers and evidence on file herein, including BMW's Motion for Entry of Default Judgment and the Declarations of Brian E. Holthus, Esq. and Christine Hickman in support of BMW's Motion for Entry of Default Judgment; and upon application of BMW, the Court finding Default Judgment is appropriate, with all other findings set forth on the record at the hearing noted above incorporated herein pursuant to Fed. R. Bankr. P. 7052, and good cause appearing therefor:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. The debt owed to BMW by Defendant as set forth herein is determined to be nondischargeable pursuant to 11 U.S.C. § 523(a)(2)(A);

2. Judgment is hereby entered against Defendant in favor of BMW, such that BMW's claim against Defendant and the amounts owed to BMW by Defendant, which are nondischargeable, shall be and are hereby awarded and allowed in the following amounts:

- a. \$171,801.57, plus interest at the contract rate, as evidenced by Claim No. 27 filed on June 3, 2016 in Defendant's main bankruptcy case; plus
- b. \$9,500 for attorney's fees and costs incurred by BMW in this adversary proceeding; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant's discharge is hereby denied pursuant to 11 U.S.C. §§ 727(a)(2)(B), 727(a)(3) and 727 (a)(5).

Submitted by:

JOLLEY URGAL WOODBURY & LITTLE

By: 

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